



STATE OF WISCONSIN Assembly Journal

Ninety-Fifth Regular Session

MONDAY, October 29, 2001

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 2 to **Assembly Bill 265** offered by Representative Underheim.

Assembly amendment 1 to **Assembly Bill 461** offered by committee on **Colleges and Universities**.

Assembly substitute amendment 1 to **Assembly Bill 496** offered by Representative Musser.

Assembly substitute amendment 1 to **Assembly Bill 524** offered by committee on **Public Health**.

Assembly substitute amendment 1 to **Assembly Bill 529** offered by Representatives Pettis and Musser.

Assembly amendment 1 to **Assembly Bill 540** offered by Representative Pettis.

Assembly amendment 1 to **Assembly Bill 542** offered by committee on **Children and Families**.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 69

Relating to: honoring and commending the devoted public service of David A. Stella.

By Representatives Vrakas, Ladwig, Plale, Black, Hahn, Jeskewitz, Krug, Lassa, Olsen, Owens, Petrowski, Ryba and Starzyk; cosponsored by Senators Wirch, Grobschmidt, Ellis, Baumgart, Burke, Darling, Risser and Rosenzweig.

To committee on **Rules**.

Assembly Bill 588

Relating to: funding for the enforcement of laws regulating snowmobiles and the operation of snowmobiles and making an appropriation.

By Representatives Gard, D. Meyer, Friske, Seratti, Suder, Kaufert, Bies, Starzyk and Pettis; cosponsored by Senators Decker, Welch and Breske.

To joint committee on **Finance**.

Assembly Bill 589

Relating to: registration by certain hospitalized electors.

By Representatives Huber, Ainsworth, Meyerhofer, Kestell, Plale, Ryba, Gronemus, Turner, J. Lehman, Bock, Plouff, Richards, Williams and Berceau; cosponsored by Senators Hansen, Burke, Robson, Plache and Decker.

To committee on **Campaigns and Elections**.

Assembly Bill 590

Relating to: adding legislative members to the council on developmental disabilities; requiring the council on developmental disabilities to report annually to the legislature; expanding eligibility, requiring submission of wavier requests by a specified date, and providing transitional services under a pilot program for long-term care of children with disabilities; requiring the department of health and family services to develop a plan to administer and fund services for persons with developmental disabilities; and requiring the exercise of rule-making authority.

By Joint Legislative Council.

To committee on **Health**.

Assembly Bill 591

Relating to: the qualifications of newspapers permitted to publish legal notices.

By Representatives Duff, Ladwig, Starzyk, Gronemus, Gunderson, Krawczyk, Bies, McCormick, Jeskewitz, Turner, Ainsworth, M. Lehman, Stone, Owens and Lippert.

To committee on **Urban and Local Affairs**.

Assembly Bill 592

Relating to: an exception to confidentiality requirements for treatment records.

By Representatives La Fave, Albers, Gronemus, Ryba, M. Lehman, Krawczyk, Musser, Gunderson, Ainsworth, Seratti, Shilling, Nass, J. Lehman, Sykora and Stone; cosponsored by Senators Wirch and Darling.

To committee on **Personal Privacy**.

Assembly Bill 593

Relating to: The Type 1 motorcycle, moped, and motor bicycle safety program and making an appropriation.

By Representatives Friske, Petrowski, Stone, Gard, Vrakas, Gronemus, Ward, Kaufert, F. Lasee, Montgomery, Musser, McCormick, Hundertmark, Rhoades, Seratti, J.

Fitzgerald, Ott, Starzyk, Krawczyk, Ainsworth, Lippert, Hoven, Sykora, Jeskewitz, Urban, Kreibich, Gunderson, Leibham, Suder, M. Lehman, Reynolds, Black, Plouff, Sherman, Lassa, Meyerhofer, J. Lehman, Berceau, Schooff and Grothman; cosponsored by Senators M. Meyer, Zien, Plache, Panzer, Wirch, Harsdorf, Welch, Shibilski, Hansen, Schultz and Grobschmidt.

To committee on **Highway Safety**.

Assembly Bill 594

Relating to: increasing a school district's revenue limit for expenditures related to participation of pupils in statewide tournaments and competitions.

By Representatives Plouff, Pocan, Ryba, Krug, Staskunas, Richards, Sinicki, J. Lehman and Riley; cosponsored by Senator Burke.

To committee on **Tax and Spending Limitations**.

Assembly Bill 595

Relating to: sexual assault and providing a penalty.

By Representatives Berceau, Musser, Sinicki, Wasserman and Pocan; cosponsored by Senators Burke and Risser.

To committee on **Criminal Justice**.

Assembly Bill 596

Relating to: requiring a permanency plan to be prepared for a child who is living in the home of a relative under a juvenile court order.

By Representatives Ladwig, Jeskewitz, Albers, Duff, Kreibich, Lippert, Loeffelholz, McCormick, Owens, Petrowski, Ryba, Seratti, Starzyk and Townsend; cosponsored by Senators Plache, Rosenzweig, Huelsman, Darling and Roessler.

To committee on **Children and Families**.

Assembly Bill 597

Relating to: issuance of an identification card.

By Representatives Hubler, Musser, Jeskewitz, Ziegelbauer, Carpenter, Walker, Bies, Sykora, Ryba, M. Lehman, Hahn, Kaufert, Boyle, Owens, Kreuser, Miller and Balow; cosponsored by Senator Burke.

To committee on **Transportation**.

Assembly Bill 598

Relating to: aquatic nuisance species and ballast water management.

By Representatives Gunderson, Ladwig, Musser, Krawczyk, Owens, Gronemus, J. Fitzgerald, Hahn, Albers, Kestell, McCormick, Meyerhofer, Ott, Ryba, Townsend, Seratti, Boyle, Colon, Hundertmark, M. Lehman, Plale, Stone and Sykora; cosponsored by Senators Baumgart, Schultz, Cowles, Roessler, Grobschmidt and Wirch.

To committee on **Environment**.

Assembly Bill 599

Relating to: the sale of tax delinquent real property.

By Representatives Gunderson, Ladwig, Starzyk, Olsen, Hundertmark, Grothman, Kedzie, Kestell, Krawczyk, Kreibich, Jeskewitz, M. Lehman, Musser, McCormick, Ott, Owens, Ryba, Skindrud, Sykora and Huber; cosponsored by

Senators Darling, Wirch, Huelsman, Roessler, Rosenzweig and Schultz.

To committee on **Ways and Means**.

Assembly Bill 600

Relating to: sales of damaged timber by the department of natural resources and from county forest lands.

By Representatives Friske, Ainsworth, Loeffelholz, Sykora, Gronemus, Duff, Albers, Petrowski, Suder, Grothman, Vrakas, D. Meyer, Montgomery, Ladwig, Musser, Owens, J. Fitzgerald, Olsen, McCormick, Ott, Krawczyk, Gunderson, Pettis, Skindrud and Huber; cosponsored by Senators Baumgart, Erpenbach, Risser, Moen and Schultz.

To committee on **Rural Affairs and Forestry**.

Assembly Bill 601

Relating to: authorizing the creation of a local park and recreation district, authorizing a local park and recreation district to impose a sales tax and use tax and levy a property tax, authorizing a local park and recreation district to apply for funding from certain programs that receive funding from the stewardship 2000 program, authorizing a local park and recreation district to impose impact fees and issue debt, and making an appropriation.

By Representatives Huber, Underheim, Ziegelbauer, Musser, Plouff, Urban, Balow, Krawczyk, J. Lehman, Jeskewitz, Turner, Stone, Miller, Olsen, Lassa, Ott, Berceau, Gunderson, Shilling, Duff, Meyerhofer and Kaufert; cosponsored by Senators Erpenbach, Decker, Hansen, Baumgart and Wirch.

To committee on **Ways and Means**.

Assembly Bill 602

Relating to: the regulation of piers and boat shelters and requiring the exercise of rule-making authority.

By Representatives Gunderson, Ladwig, Musser, Duff, Gronemus, Ainsworth, Albers, Kaufert, Grothman, Krawczyk, Wieckert, Seratti, Plale, Jeskewitz and Skindrud; cosponsored by Senators Schultz, Darling, Ellis, Roessler and Welch.

To committee on **Natural Resources**.

Assembly Bill 603

Relating to: providing information to a firearms dealer when purchasing a handgun, authorizing the department of justice to prosecute violations of certain laws regulating firearms, and providing a penalty.

By Representatives Gunderson, Ladwig, Vrakas, Freese, Riley, Suder, Walker, Starzyk, Colon, J. Fitzgerald, Gronemus, Hahn, Kestell, F. Lasee, Lippert, Ott, Pettis, Plale, Stone, Townsend and Urban; cosponsored by Senators Darling, Huelsman, Kanavas and Roessler.

To committee on **Criminal Justice**.

Assembly Bill 604

Relating to: confidentiality of autopsy reports.

By Representatives Johnsrud, Pettis, Suder, Loeffelholz, Huebsch, Ladwig, Ott, Albers, Musser, Bies, Gunderson, Freese, Sykora, Stone, Williams, Vrakas, Petrowski, Underheim, Kreibich and Shilling; cosponsored by Senator Darling.

To committee on **Personal Privacy**.

Assembly Bill 605

Relating to: repealing the estate tax.

By Representatives Jensen, Krawczyk, Montgomery, Suder, Freese, Leibham, Kreibich, Albers, Nass, Musser, Starzyk, Hahn, Bies, Owens, Walker, Ladwig, M. Lehman, Vrakas, Ward, Kedzie, Olsen, Hundertmark, Rhoades, Gundrum, J. Fitzgerald, D. Meyer, Gunderson, Stone, Ainsworth, Pettis, Petrowski, Johnsrud and F. Lasee; cosponsored by Senators Panzer, Welch, Darling, Huelsman, Schultz, Roessler and Rosenzweig, by request of Governor Scott McCallum.

To committee on **Tax and Spending Limitations**.

COMMITTEE REPORTS

The committee on **Children and Families** reports and recommends:

Assembly Bill 538

Relating to: the membership of the child abuse and neglect prevention board.

Passage:

Ayes: 7 – Representatives Kestell, Lippert, Bies, Grothman, Jeskewitz, Miller and Sinicki.

Noes: 0.

To committee on **Rules**.

STEVE KESTELL
Chairperson
Committee on Children and Families

The committee on **Energy and Utilities** reports and recommends:

Assembly Bill 584

Relating to: public utility shared revenue payments and making an appropriation.

Assembly amendment 1 adoption:

Ayes: 9 – Representatives Hoven, Friske, Leibham, Ott, Powers, Vrakas, Meyerhofer, Plale and Schooff.

Noes: 0.

Passage as amended:

Ayes: 9 – Representatives Hoven, Friske, Leibham, Ott, Powers, Vrakas, Meyerhofer, Plale and Schooff.

Noes: 0.

To committee on **Rules**.

TIM HOVEN
Chairperson
Committee on Energy and Utilities

MESSAGE FROM THE SENATE

By Donald J. Schneider, Senate Chief Clerk.

Mr. Speaker:

I am directed to inform you that the Senate has

Adopted and asks concurrence in:

Senate Joint Resolution 49

Passed and asks concurrence in:

Senate Bill 135

Senate Bill 212

Senate Bill 237

ACTION ON THE SENATE MESSAGE

Senate Joint Resolution 49

Relating to: the life and public service of Nile W. Soik.

By Senators Darling, Rosenzweig and Welch; cosponsored by Representatives Jeskewitz, J. Lehman, Hahn, Owens, Nass, Ryba, Urban, Riley, Gundrum, Ott, Gunderson and Stone.

To committee on **Rules**.

Senate Bill 135

Relating to: disclosure of credit reports and providing a penalty.

By Senators Erpenbach, Burke, Risser, George, Darling and Hansen; cosponsored by Representatives Gunderson, Ziegelbauer, Schneider, Young, Pocan, Bock, Musser, Wood, Turner, Miller, Balow, Cullen, J. Lehman, Berceau and Morris–Tatum.

To committee on **Personal Privacy**.

Senate Bill 212

Relating to: restrictions on the transmission of unsolicited electronic mail.

By Senators Risser, Roessler, Burke, Decker, Huelsman and Hansen; cosponsored by Representatives Krug, Musser, Bock, Urban, Hahn, Albers and Ott.

To joint committee on **Information Policy and Technology**.

Senate Bill 237

Relating to: requiring pharmacies to keep patient health care records confidential.

By Senators Erpenbach, Hansen, Moen, George, Huelsman, Plache and Risser; cosponsored by Representatives Powers, Walker, Musser, Sykora, Krug, Turner, Miller, Meyerhofer, Black, Gronemus, Stone, Ott, Young, Pocan, Boyle, Ainsworth, Plouff, Staskunas, Gunderson, Lassa, Sinicki, Cullen, J. Lehman, Carpenter and La Fave.

To committee on **Personal Privacy**.

ENROLLED BILLS

The following Assembly proposals, which have been approved by both the Assembly and Senate, have been enrolled by the Legislative Reference Bureau:

Assembly Bill 60
Assembly Bill 142
Assembly Bill 153

JOHN A. SCOCOS
Assembly Chief Clerk

COMMUNICATIONS

State of Wisconsin
Joint Legislative Council
Madison

October 25, 2001

Mr. John Scocos
Assembly Chief Clerk
1 East Main Street, Suite 402
Madison, WI 53703

Dear John:

I am pleased to transmit to you the following report to the 2001 Legislature on legislation introduced by the Joint Legislative Council:

RL 2001-07 Legislation on Developmental
Disabilities
(2001 Senate Bill 231 and 2001
Assembly Bill 473)

I would appreciate your including this letter in the Journal for the information of the membership. Additional copies of this report are available in the Legislative Council Staff offices, One East Main, Suite 401, or from our web page at www.legis.state.wi.us/lc/reports_by_topic.htm.

Sincerely,
TERRY C. ANDERSON
Director

AGENCY REPORTS

State of Wisconsin
Legislative Audit Bureau
Madison

October 25, 2001

To the Honorable, the Legislature:

We have completed an evaluation of the Department of Transportation's bridge inspection program, as requested by the Joint Legislative Audit Committee. In fiscal year 2000-01, the Department spent approximately \$2.2 million in segregated state funds to inspect state-owned bridges, including an estimated \$1.2 million to hire consultants from the private sector.

The Department's written policies for inspecting the 4,858 state-owned bridges are generally consistent with federal regulations and other national guidelines, and state staff meet federal bridge inspection qualifications. The Department does not, however, adequately monitor bridge inspection costs or evaluate the cost-effectiveness of its use of consultants by comparing their costs to the costs of inspections performed by state staff. It also does not use the most recent data on bridge traffic to measure the condition of state bridges. We have included recommendations to address these concerns.

The Department has increased staff time devoted to bridge inspection. However, we found that from January 2000 through August 2001, 15.9 percent of routine bridge inspections and 8.0 percent of inspections of structurally deficient bridges were not completed within the two-year period required by both state and federal law. Therefore, we have also included a recommendation that the Department ensure inspections are completed in a timely manner.

National bridge experts have determined that the Department could not have foreseen the failure of the Hoan Bridge in Milwaukee in December 2000. We found, however, that the Department had not conducted routine inspections of the bridge as frequently as required by law. The Department estimates that the bridge repair work will cost approximately \$15.8 million.

We appreciate the courtesy and cooperation extended to us by the Department. The Department's response is Appendix 3.

Respectfully submitted,
JANICE MUELLER
State Auditor